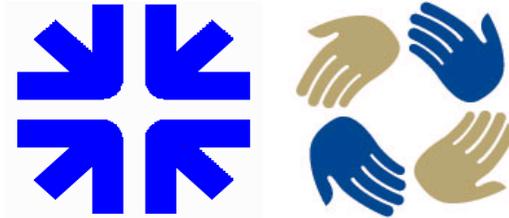


**City/School Committee**

Councilmember, Ruth Atkin Co-Chair  
School Board Member, John Affeldt Co-Chair  
Councilmember Jac Asher  
Councilmember Kurt Brinkman  
Councilmember Nora Davis  
Councilmember Jennifer West  
School Board Member Joshua Simon  
School Board Member Joy Kent  
School Board Member Melodi Dice  
School Board Member Miguel Dwin  
Student Member Jordan Taylor  
Student Member VACANT



**AGENDA**  
**City/School Committee**

Regular Meeting of the Advisory Committee

Special Meeting of the Emeryville City Council and Emery Unified School District Board of Trustees

**RESCHEDULED**

**April 8, 2013**

**5:30 pm**

**Ralph Hawley School**

**1275 61<sup>st</sup> Street**

All Advisory Committee meetings are noticed as Special City Council and School District Board of Trustees Meetings so that any or all of the City Council or School District Board of Trustees may attend and participate in the Advisory Committee’s deliberations. However, actions taken by Advisory Committees are not official actions of the City Council and School District Board of Trustees but must be ratified at a regular City Council and School District Board of Trustees Meeting. All writings that are public records and relate to an agenda item below which are distributed to a majority of the City/School Committee (including writings distributed to a majority of the City/School Committee less than 72 hours prior to the meeting noticed below) will be available at the Information Counter, 1333 Park Avenue, Emeryville, California during normal business hours (9am to 5pm, Monday through Friday, excluding legal holidays).

1. Roll Call
2. Public Comment
3. Approval of 3/7/13 Minutes
4. Staff/Committee Member Comments
5. Information Items
  - a. Update from Emery Ed Fund (Powell - 5 mins)
  - b. COC Chair’s Report (Rausch - 10 mins)
  - c. ECCL update on Play Area Design (Miller 20 mins)
  - d. Calendar Coordination Community Services, ECDC and EUSD (Montero – 5 mins)
  - e. Characteristics Wanted - New City Manager (O’Keeffe 15 mins )
  - f. MOU 3 Draft (Lindo/O’Keeffe – 20 mins)
6. Action Items
  - a. Taskforce Application Selection (Miller - 15 mins)
7. Adjournment

**FURTHER INFORMATION** may be obtained by contacting Cindy Montero, City/School Committee Secretary, at (510) 596-3770

Dated: 4/3/2013 \_\_\_\_\_ Karen Hemphill, City Clerk

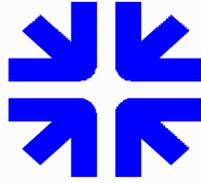
Post on: 4/3/2013

Post until:4/12/2013 \_\_\_\_\_ Debbra Lindo, EUSD Superintendent

All documents are available in alternative formats, on request. In compliance with the Americans with Disabilities Act, a person requiring an accommodation, auxiliary aid or service to participate in this program should contact the sponsoring department at (510) 450-7813 or ADA Coordinator as far in advance as possible, but no later than 72 hours before the scheduled event. The best effort to fulfil the request will be made.

**City/School Committee**

Councilmember Jac Asher, Co-Chair  
School Board Member Joshua Simon, Co-Chair  
Councilmember Jennifer West  
Councilmember Ruth Atkin  
Councilmember Kurt Brinkman  
Councilmember Nora Davis  
School Board Member John Affeldt  
School Board Member Melodi Dice  
School Board Member Miguel Dwin  
School Board Member Joy Kent  
Student Member Jordon Taylor  
Student Member VACANT



## **City/School Committee Action Minutes**

Regular Meeting of the Advisory Committee  
Special Meeting of the Emeryville City Council and Emery Unified School District Board of Trustees

**March 7, 2013 - 5:30pm**

Ralph Hawley School, 1275 61<sup>st</sup> Street, Emeryville, CA

1. Roll Call at 5:34 PM
  - a. School Board: Affeldt (Late, 5:55 PM) , Dice, Dwin (Late, 5:51 PM)
  - b. City Council: Asher, Davis, Atkin, Brinkman (Late, 05:40 PM)
  - c. School Staff: Lindo, Allen
  - d. City Staff: Allison, Bonner, Miller, Montero, O’Keeffe
  - e. Students: None
  - f. Excused: West, Simon, Kent
  - g. Unexcused: Taylor
2. Public Comment
  - a. None
3. Approval of 3/7/13 Minutes
  - a. Nora motioned to approve the 3/7/13 action minutes. Brinkman seconded the motion.
4. Staff/Committee Member Comments
  - a. Lindo announced that the trip to Washington, D.C. was both productive and beneficial. She then reported the Committee on the successful outcome of the STEM Education Summit which was led by State Superintendent, Tom Torlakson. The Summit was hosted by the Bayer Healthcare, California Biotechnology Foundation and Cal State East Bay Institute of STEM Education on February 27, 2013. Lindo then informed the Committee that the Even Year Election resolution was approved by the Emeryville Unified School District Board of Trustees during February 27, 2013 Board Meeting. She had also notified the County Board of Supervisors regarding the approved resolution and expected them to be moved forward within the next month. Lindo ended her announcement by notifying the Committee on schools’ closing during Spring Break, April 1-5, 2013.
  - b. Miller thanked the City Council for submitting their response on the Joint Occupancy RFP. The School Board will be making their selection on March 13, 2013 meeting.
  - c. Montero reminded the Committee about the Spring Youth Carnival on March 16, 2013.
  - d. On behalf of EUSD Board of Trustees, Dice congratulated O’Keeffe on his retirement as City Manager. She presented O’Keeffe with a Certificate of Appreciation.

5. Information Items

- a. Adult Allies (Cory Wechsler - 30 mins)
  - i. Weschler stated the importance of students' involvements in various Boards and Councils of the City of Emeryville. She announced that the students have planned April 13, 2013 to host a Students-Adults Partnership Meeting. The meeting will serve as an opportunity for students to begin their work with the Committee members in developing the Students Engagement Proposal for the following school year.
  - ii. Dwin stated that the reasons behind the creation of the student seats are to provide students with leadership opportunities while giving them the ability to submit their inputs on ECCL. Brinkman, Davis, and Atkin supported Dwin's statement.
  - iii. Davis, Brinkman, and Allen shared the challenges on students' recruitment and retention for student board positions. Time, attendance, transportation, and student interest were some of the challenges discussed during the meeting.
  - iv. Affeldt and Dwin expressed the importance of a mentorship program in order to familiarize students with the duties of various City Boards and Councils.
  - v. Dice proposed a student report/update as a regular agenda item on City/School Agenda. Asher supported Dice's proposal.
  - vi. Brinkman proposed a \$50 stipend for student participants in Board and Council meetings. The stipend can serve both as an incentive and to cover any transportation costs.
- b. Update from Emery Ed Fund (Powell - 5 mins)
  - i. Not discussed as Powell is on sick leave.
- c. COC Chair's Report (Rausch - 10 mins)
  - i. Rausch shared COC's responses on the issuance of Series D Bonds presentation. He stated that the District was able to take advantage on the historically low interest rate and maintain a low repayment ratio on the Measure J Bond. Rausch also requested an increase of COC members due to the retirement and also scheduling conflicts of the current members. He stated the need of a more standardized process for attracting, on-boarding, retaining, and developing new members of COC.
- d. ED Program Overview (Allen - 30 mins)
  - i. Miller presented an overview on Program Development during COC Inquiry Session, January 16, 2013.
  - ii. Davis, Lindo and Affeldt commented on future funding sources for schools
- e. ECCL Design Review (Nexus Partners - 30 mins)
  - i. Graham Hill and Martha Frye from Nexus Partners presented an update on the current work of the design development of Emeryville Center of Community Life (ECCL)
  - ii. Atkin voiced out her concern on how the sideline berms and seating could potentially be used by skaters to skate on, thus damaging the aesthetics of the design. Asher, Dwin, Dice, Affeldt, and Miller commented and discussed different options on the design of ECCL's Community Commons Play Elements.
- f. Washington DC Trip (Brinkman/Dwin/Lindo - 30 mins)
  - i. Lindo, Brinkman, and Dwin shared their activity reports on the recent trip to Washington, D.C. All stated that it was a very productive trip

- ii. Affeldt inquired about opportunities for new program funding sources. Lindo shared brief overview of COPS grant through the U.S. Department of Justice. She implored the City to apply for this new grant.
  - g. Taskforce Update (Miller - 10 mins)
    - i. Miller announced that the Taskforce currently have a sufficient amount of applications that the Committee can select during the City/School meeting in April. Miller also reminded the members that the deadline for the application has been extended to Monday, March 10, 2013.
  - h. Reschedule April Meeting (Lindo/O'Keeffe-5min)
    - i. The Committee agreed to reschedule April City/School meeting to Monday, April 8, 2013.
6. Action Items  
None
7. Adjournment at 8:46 PM

**SUMMARY OF MASTER JOINT OCCUPANCY AGREEMENT  
EMERYVILLE CENTER OF COMMUNITY LIFE  
(ECCL)**

**RECITALS**

- The history of the ECCL project is set forth to memorialize the design, program and funding decisions that have supported and lead up to the Master Agreement.
- Project Guiding Principles are included to state and remind that the project is based on mutual cooperation and that the facility is a structure that enables various community goals to be achieved within it.
- Attachment A to the Master Agreement is a diagram of the ECCL site owned by EUSD

**PREREQUISITES**

- State approval of Master Agreement
- City Successor Agency obtains Finding of Completion from State allowing the pre-2011 excess redevelopment bond proceeds to be used to fund the City share of the project at \$21,200,000.
- Successor Agency transfer funds to the City.
- EUSD obtains environmental certification for compliance with CEQA.
- Deadline of 12/31/13 for completion of prerequisites. If not complete, EUSD/City will meet and confer on alternate project approach, with final deadline of 3/30/14; thereafter either City or EUSD can terminate the agreement.

**PROJECT LEASES**

- There is an existing lease between the City/EUSD for the pool, gym and sports fields. City agrees to sublease those premises back to EUSD during construction to enable construction, pursuant to the form of sublease set forth in Attachment B to the Master Agreement.
- The obligation to execute the sublease (Attachment B to Master Agreement) is subject to certain conditions including evidence of financing, completion of land use approvals from the State, EUSD approval of a construction agreement within budget, proof of insurance and mutual approval of a Design & Construction Agreement (Attachment G to Master Agreement) between City and EUSD.
- The project will most likely be constructed pursuant to a lease/leaseback arrangement with a contractor.
- Upon completion of construction, EUSD will lease the entire site to the City to allow greater flexibility in programming the common use facilities. Execution of this lease agreement (Attachment C to Master Agreement) is conditioned upon completion of the construction, release of all construction liens, termination of the construction lease/leaseback agreement, and execution of the Governance Agreement (Attachment E to Master Agreement), Shared Use Agreement (Attachment F to Master Agreement) and Operations & Maintenance Agreement (Attachment I to Master Agreement) (see below).

- The overall lease to the City will have covenants reserving areas for EUSD that are to be used for education and will replace the current lease that allows the City to use the pool, gym and sports fields.

## **FUNDING**

- The project will be funded pursuant to the Finance Agreement (Attachment D to Master Agreement) which sets forth the City's additional \$21.2 million contribution to the project and the EUSD \$65.5 Million contribution.
- District will be responsible for overseeing construction and will provide City with monthly reports and invoices for funding drawdowns.
- After the Successor Agency receives State approval for the expenditure of the excess pre-2011 bond proceeds and the Successor Agency transfers the funds to the City, the City will hold the funds and disburse its share of the funding as construction progresses pursuant to the monthly reporting.
- Funds will be disbursed in proportion (pari passu) to the funding each entity is contributing to the development cost (approximately 25% City, 75% EUSD).
- Design and construction costs (including project management by Roy Miller) are eligible uses of the City bond proceeds, but not EUSD or City administrative costs (e.g. City manager/Superintendent time which will be paid by the respective operating budgets).

## **GOVERNANCE**

- Governance of the construction of the facility, its on-going operations and maintenance, and the on-going programming of the functions (e.g. education, recreation, and wellness) will be governed by a two tier structure consisting of policy creation/oversight and day to day administration pursuant to the Governance Agreement (Attachment E to Master Agreement).
- The policy setting and overall governance will be the responsibility of the City School Committee (full EUSD Board and City Council).
- In addition to setting overall policy for ECCL, the governance committee will also resolve all disputes regarding its operation that cannot be resolved administratively.
- The second tier of governance shall consist of the Administrative Committee consisting of the EUSD Superintendent and the City Manager. This committee will continue to meet weekly for coordination of programs and general oversight of ECCL daily operations, and make recommendations to the Governance Committee.
- As unforeseen issues emerge with the facility and program operations, the Administrative Committee will formulate and recommend amendments to the Operations, Maintenance and Renovations Agreement, Shared Use Agreement and/or Governance Agreement to the City School Committee for consideration.
- The Administrative Committee will establish a Programs subcommittee to oversee and recommend programs, meet monthly to agree on scheduling of the spaces, and provide a quarterly report on programs implementation.
- The Administrative Committee will also establish an Operations and Maintenance subcommittee which will include the City CFO and the EUSD CBO as well as facilities staff for both. It will meet monthly to review income and costs, and report quarterly.

## **SHARED USE AGREEMENT**

- The Shared Use Agreement (Attachment F to Master Agreement) sets forth the areas that will be predominately used by EUSD, the areas predominately used by the City, areas where the two will share facilities and areas that may be subleased to third parties for services and programs (e.g. library, medical clinic, and higher education).
- There is an administrative level method for resolving conflicts of use in this agreement (and the City School Committee will resolve conflicts that cannot be resolved on the administrative level).

## **DESIGN & CONSTRUCTION AGREEMENT**

- The Design and Construction Agreement (Attachment G to Master Agreement) will set forth the responsibilities during the remaining design and construction phases of the project.
- EUSD will be responsible for completing the design and constructing the project with input from the City. The staffs of both will mutually agree on revisions and readiness of the construction drawings at the 50% completion stage and the 100% completion stage.
- The 100% drawings will be reviewed and approved by the City School Committee for submission to the State Architect (DSA) for approval.
- Both City and EUSD understand that the facility cannot be constructed without DSA approval and there may be modifications to the plans required by DSA.
- The City and EUSD staffs will meet weekly with the contractor to review progress, solve problems and facilitate the timely decisions needed to keep the project on time and within budget.
- DSA will provide inspectors for the construction and will provide the final approval of completion. The City will have the right to have observers on site to monitor construction and may discuss any problems observed with the District and contractor as part of the weekly construction meetings.
- Construction will occur on a schedule mutually acceptable to City/EUSD and will be completed within 24 months, and no later than June 30<sup>th</sup> 2015.
- Construction will be pursuant to general construction standards.
- Both EUSD and City have a fixed budget and financial resources for the completion of the project. The contractor will be required to sign a fixed price contract. If it appears during construction that the project cannot be completed within these fixed resources, EUSD/City will confer and decide on modifications to the project to bring it within budget (approved by City School Governance Committee).
- Contractor will be required to have insurance during construction and provide warranties for construction defects at the conclusion of construction.

## **GENERAL CONDITIONS**

- The General Conditions (Attachment H to Master Agreement) that are applicable to the Master Agreement and the attachments all grouped in one place. These provisions will include items such as notice, liability, insurance, etc.

## **OPERATIONS, MAINTENANCE AND RENOVATIONS AGREEMENT**

- The Operations, Maintenance and Renovations Agreement (Attachment I to Master Agreement) will set forth how the City and EUSD will operate the facility including items such as daily routine maintenance, staffing during hours of operation, protocols for third party services agreements, and setting aside of reserves for major maintenance and replacement per an agreed upon replacement schedule.
- This agreement will be implemented by the Operations and Facilities Sub Committee which will make budget recommendations and operational recommendations to the Administrative Committee. Funding and major operations decisions will be recommended to the Governance Committee for approval.

**MASTER JOINT OCCUPANCY AGREEMENT  
(EMERY CENTER OF COMMUNITY LIFE)**

This MASTER JOINT OCCUPANCY AGREEMENT (“**Agreement**”) is entered into as of \_\_\_\_\_, 2013, the latter of the dates upon which this Agreement is approved by the City Council and District Board (“**Effective Date**”), by and between the City of Emeryville, a California municipal corporation (“**City**”), and the Emery Unified School District, a political subdivision of the State of California (“**District**”). City and District are sometimes referred to herein individually as a “**Party**,” and collectively as the “**Parties**.”

RECITALS

A. District owns the approximately 7.5 acres of real property generally located on San Pablo Avenue between 47<sup>th</sup> and 53<sup>rd</sup> streets in the City of Emeryville, designated as APNs 049-1181-001, 049-1182-015-08, 013-1182-023-04, 013-1182-005-03 and 013-1182-008-04 and depicted in the Property Diagram attached hereto as Attachment A, and incorporated herein by reference (“**Property**”). The Property is currently improved with a grades 7-12 school facility known as the Emery Secondary School.

B. On or about [REDACTED] 2001, District received a loan from the State of California, appropriated to the District pursuant to the terms of Statutes 2001, Chapter 135, to assist District in addressing certain fiscal problems. Statutes 2001, Chapter 135 authorized the District to enter into a lease with the City for the use of certain District facilities during non-school hours and events for recreational and community programs, so that the District could utilize the proceeds from the lease to pay off the loan made pursuant to Statutes 2001, Chapter 135.

C. As contemplated by Statutes 2001, Chapter 135, District and City entered into a lease agreement dated October 15, 2002, pursuant to which the District has leased to City certain specified District facilities, including the pool, gymnasium and athletic fields located on the Property, for recreational and community programs and the City has paid to District approximately \$1,500,000 for the lease of such facilities all as set forth therein (“**Existing City/District Lease**”).

D. Since 2003, District, City and the former Emeryville Redevelopment Agency (“**Redevelopment Agency**”) (and, since February 1, 2012, the Successor Agency to the Emeryville Redevelopment Agency) have been collaboratively planning the redevelopment of the Property with a unique and special community center where schools, community services, arts and recreation programs are integrated to serve the entire Emeryville community. That project, known as the Emeryville Center of Community Life, includes approximately 180,000 square feet of interior space made up of general instruction classrooms, meeting rooms, administrative offices, a gymnasium, multi-purpose areas, art and music studios, dance and fitness studios, space for preschool and before and after school activities, technology centers, teacher work areas, parent and teacher resource areas, a library, a health and wellness center, approximately 215 parking spaces, and outdoor space including a soccer field/football field, baseball field, basketball courts, a year-round swimming pool, a running track, gardens, and

green open space, as more particularly described and depicted in the ECCL Schematic Design prepared by Nexus Partners dated December 6, 2012 (“**ECCL Project**”).

E. On or about April of 2009, District issued a Request for Qualifications to select a contractor/architect team to design and, potentially, to develop the ECCL Project through a lease/lease back construction delivery method in accordance with applicable law, including California Education Code Section 17406. District reviewed the various proposals received through the Request for Qualifications process and ultimately selected a design team led by Turner Construction Inc. (“**Turner**”) to undertake design and planning of the ECCL Project.

F. In furtherance of their shared goals, District, City and the Redevelopment Agency entered into a Memorandum of Understanding dated January 19, 2010, which set forth their respective roles and responsibilities in connecting with the planning of the ECCL Project (“**MOU 1**”).

G. As contemplated by MOU 1, in November of 2010, District obtained voter approval of Measure J authorizing issuance of bonds in the total principal amount of up to \$95,000,000 to finance the construction, furnishing and equipping of school facilities. As of the date of this Agreement, District has issued four series of bonds in a total par amount of \$65,589,745, the proceeds of which are to be expended in connection with the design, construction and development of the ECCL Project.

H. On February 15, 2011, the City and the Redevelopment Agency held a duly noticed joint public hearing in accordance with Section 33679 of the California Community Redevelopment Law (Health & Safety Code section 33000 *et seq.*) (“**CRL**”) and after considering the Summary Report prepared in accordance with Section 33679 of the CRL and having made the findings required by Section 33445 of the CRL, approved and authorized the execution of an Amended and Restated Public Improvements Reimbursement Agreement (“**Reimbursement Agreement**”) pursuant to which the Redevelopment Agency pledged to the City \$25,000,000 of redevelopment bond proceeds for the implementation and completion of the ECCL Project. To date, approximately \$3,800,000 of the \$25,000,000 has been expended on efforts related to planning and design of the ECCL Project.

I. Following passage of the bond measure, City, District and the Redevelopment Agency held a meeting in April of 2011 and authorized entry of a Memorandum of Understanding Increment 2 (“**MOU 2**”), to facilitate further planning and design of the ECCL Project and to begin the process of identifying the Parties’ respective rights and obligations regarding funding, maintenance and use of the ECCL Project.

J. On June 28, 2011, the Governor of the State of California signed into law Assembly Bill x1 26 (“**AB x1 26**”), which, as upheld and modified by the California Supreme Court in California Redevelopment Association *et al.* v. Ana Matosantos *et al.*, Case No. S194861, dissolved all redevelopment agencies effective February 1, 2012. AB x1 26 was subsequently modified by Assembly Bill 1484 (“**AB 1484**”) which, among other things, added Health and Safety Code Section 34191.4(c) authorizing successor agencies, upon issuance of a finding of completion by the Department of Finance pursuant to Section 34179.7, to utilize proceeds derived from bonds issued prior to December 31, 2010 for the purposes for which the

bonds were sold. AB x1 26 and AB 1484 are referred to collectively herein as the “**Dissolution Act.**”

K. On January 17, 2012, the City Council of the City of Emeryville adopted Resolution No. 12-12 electing to have the City of Emeryville serve as Successor Agency to the Emeryville Redevelopment Agency (“**Successor Agency**”).

L. The Successor Agency currently has approximately \$24,500,000 of Bond Proceeds (defined below) derived from bonds issued by the former Redevelopment Agency prior to December 31, 2010, which bonds were to be used for redevelopment purposes. The ECCL Project is one of a number of redevelopment projects identified in the former Redevelopment Agency’s Implementation Plan and, therefore, expenditure of Bond Proceeds on eligible ECCL Project expenses is consistent with the purposes for which the bonds were sold as contemplated by Section 34191.4(c) and 34177(i). “**Bond Proceeds**” means any and all proceeds of bonded indebtedness currently held by the Successor Agency which (i) are derived from bonds issued on or before December 31, 2010, (ii) are not restricted to the development of housing affordable to low and moderate income households, and (iii) are not budgeted for payment of enforceable obligations listed on the Recognized Obligation Payment Schedule of the Successor Agency for the period of January 1, 2012 through June 30, 2012 (ROPS I), July 1, 2012 through December 31, 2012 (ROPS II), or January 1, 2013 through June 30, 2013 (ROPS III) as approved by the Department of Finance.

M. In anticipation of receiving a finding of completion in accordance with Section 34179.7 prior to the commencement of the period of time covered by ROPS 13/14A (i.e. July 1, 2013 through December 31, 2013), the Successor Agency and City have entered into a Funding Agreement dated February 19, 2013 (“**Funding Agreement**”), pursuant to which Successor Agency, subject to satisfaction of certain conditions, has agreed to pledge to City \$21,200,000 of the total available Bond Proceeds to fund a portion of the costs of the ECCL Project.

N. Concurrently with the approval of the Funding Agreement, Successor Agency approved a Recognized Obligation Payment Schedule for the period of July 1, 2013 through December 31, 2013 (13/14A) to reflect a payment of \$21,200,000 to the City from available Bond Proceeds pursuant to the Funding Agreement and listed the Funding Agreement as an enforceable obligation on ROPS 13/14A.

O. *[Additional Recital(s) describing then current status of DoF review of ROPS 13/14A and the Funding Agreement and status of Finding of Completion to be inserted prior to approval of this Agreement]*

P. To facilitate development of the proposed ECCL Project, the District Board adopted Resolution No. 8 on December     , 2012, declaring District’s intention to consider proposals for joint occupancy of the proposed ECCL Project in accordance with California Education Code section 17521 *et seq.*, and, thereafter, District issued a Request for Proposals regarding joint development, financing and use of the Property.

Q. In response to District’s Request for Proposals, City submitted a proposal to enter into a joint occupancy agreement with District whereby City would participate in the

construction financing of the ECCL Project, and, following completion of construction of the ECCL Project, the ongoing use, operation and maintenance thereof.

R. Consistent with California Education Code Section 17523, the District Board met and considered all plans and proposals submitted in response to the District's solicitation and, after reviewing the plans and proposals submitted in response to the District's solicitation, the District on March 13, 2013, by Resolution No. 10, selected the City as the entity with whom District desired to partner with as a joint occupant of the ECCL Project.

S. In order to facilitate construction of the project, including potentially through a lease/leaseback construction delivery method, District has also requested that City enter into a sublease with District pursuant to which the City, as sublessor, will sublease to District, as sublessee, the premises that are the subject of the Existing City/District Lease so that District can cause the ECCL Project to be constructed on the Property.

T. District has determined that it is in the District's best interest to enter into a joint occupancy agreement with the City on the terms and conditions embodied within this Agreement.

U. District and City now desire to enter into this Agreement to address the Parties' respective obligations with regard to the financing, design, development, construction, leasing, use, operation and maintenance and capital replacement of the ECCL Project, all as set forth in this Agreement and the Attachments hereto.

## A G R E E M E N T S

NOW, THEREFORE, for good and valuable consideration, the Parties hereby agree as follows:

1. Guiding Project Principles. The vision that the Parties have developed over a number of years is reflected in the planning documents that have been created for the ECCL Project, including the Conceptual Master Plan prepared by Field Paoli/HKIT Architects approved by City Council and District Boards on [REDACTED] ("**Conceptual Master Plan**") and the Schematic Design prepared by Nexus Partners dated December 6, 2012 ("**Schematic Design**"). / The Master Plan and Schematic Design, which are incorporated herein by reference, foresee a group of joint use facilities and flexible spaces clustered on a single site, comprised of all the desired educational and community services programs needed and wanted by the community of Emeryville, and formed in a manner consistent with a number of goals. One primary goal of the Parties is to produce within Emeryville a more connected and engaged network of community members and personal inter-relationships. The ECCL Project will serve as both a hub and a portal to that network by housing activities that engage community members in ways that build and strengthen their bonds. It will facilitate the connections that allow people to encounter and know one another. The Parties also share the goal of embedding life-long learning into the daily activities of everyone in Emeryville, to provide access to fellow citizens and information, and to share the deep values that are crucial in determining how that information will be put to use and how those citizens can be in productive relationship with one another. Yet another goal of the Parties is to create new open public spaces (particularly outdoor

spaces) where there is room to share time and experiences, and build the network of social interactions that is, fundamentally, the essence of community, while at the same time ensuring a safe environment for students, teachers and other users of the ECCL Project facilities. The ECCL Project will seek to place a high value on time spent sharing and experiencing a wide variety of social, educational, and cultural activities within the facilities, thus providing opportunities to develop social interconnections through the every-day use of those places. In addition, the Parties' goal of fostering an eminently sustainable and "green" set of community spaces also seeks expression in the ECCL Project which will become part of a city that is more walkable, more cohesive, smart in its growth, sustainable in all its endeavors, and the pride of its citizens. The Parties also desire that the Center epitomize the cultural richness born from the collaborative diversity of the multi-cultural, multi-ethnic, and multi-generational citizens of Emeryville. And, finally, the Parties desire to make commitments to each other with regard to the long term maintenance, operation and capital replacement and refurbishment to ensure that the ECCL Project remains a first-class educational and community space for many years to come. .

2. Conditions Precedent to Agreement. The effectiveness of this Agreement, and the Parties obligations hereunder and under each of the Attachments hereto, are expressly made contingent upon satisfaction of the following conditions precedent (collectively, "**Conditions Precedent to Agreement**"):

2.1 Finding of Completion. Successor Agency shall have obtained from the State of California – Department of Finance a "finding of completion" pursuant to Section 34179.7 of the Dissolution Act and approval to expend the Successor Agency Bond Proceeds for the ECCL Project;

2.2 Successor Agency Bond Proceeds. City shall have received from the Successor Agency Bond Proceeds in the amount of \$21,200,000, and such funds shall be fully available to City for purposes of meeting City's obligation to fund a portion of the costs of the ECCL Project as provided in the Funding Agreement;

2.3 CEQA Approval. District shall have performed an initial study for the proposed ECCL Project in accordance with the California Environmental Quality Act ("**CEQA**") and, based on the results of such initial study, prepared and approved an appropriate environmental document for the ECCL Project ("**CEQA Document**"), and the time period for appeal or challenge of such CEQA Document shall have expired; and

2.4 SBE Approval. The State of California Board of Education shall have approved this Agreement and the ECCL Project.

If all of foregoing Conditions Precedent to Agreement have not been satisfied by December 31, 2013, then the Parties shall meet and confer in good faith to explore alternative arrangements to facilitate construction and development of the ECCL Project; provided, however, if the Parties have not identified an alternative arrangement that is mutually acceptable to the Parties and the Conditions Precedent to Agreement remain unsatisfied as of March 31, 2014, then either Party may terminate this Agreement by notice to the other Party and following such termination neither Party shall have any further rights or obligations hereunder other than those obligations

which expressly survive termination hereof. This Agreement may also be terminated earlier by mutual agreement of the Parties.

3. City Sublease to District. To facilitate District's development of the ECCL Project under a lease/lease back construction delivery method, City agrees to sublease to District and District agrees to sublease from City, in its AS-IS condition existing on the Effective Date, the entirety of the premises which are the subject of the Existing City/District Lease. Concurrently with execution of this Agreement, the Parties shall execute a sublease substantially in the form of Attachment B attached hereto ("**City/District Sublease**"). The effectiveness of the City/District Sublease is contingent upon satisfaction or waiver by the Parties of certain conditions precedent to effectiveness as set forth in the City/District Sublease:

3.1

4. Construction and Development. District shall cause the ECCL Project to be designed and constructed on the Property in accordance with 100% Construction Drawings approved by District, City and the State of California Division of the State Architect ("DSA") all as set forth in a Design and Construction Agreement substantially in the form attached hereto as Attachment G ("**Design and Construction Agreement**") and the General Conditions substantially in the form attached hereto as Attachment H ("**General Conditions**"). The Design and Construction Agreement shall be executed by the Parties concurrently with the execution of this Agreement. The effectiveness of the Design and Construction Agreement is contingent upon satisfaction or waiver by the Parties of certain conditions precedent to effectiveness as set forth therein.

5. ECCL Project Funding. City's obligation to fund a portion of the costs of the ECCL Project with Successor Agency bond proceeds will be set forth in a Finance Agreement substantially in the form attached hereto as Attachment D ("**Finance Agreement**"). The Finance Agreement shall be executed by the Parties concurrently with execution of this Agreement. The effectiveness of the Finance Agreement is contingent upon satisfaction or waiver by the Parties of certain conditions precedent to effectiveness as set forth therein. Except as otherwise expressly set forth in the Finance Agreement and the O&M Agreement (defined in Section 9 below), District shall be responsible, at District's sole cost and expense, for carrying out all work involved in the design, planning, site preparation, demolition, construction, installation, operation and maintenance of the ECCL Project improvements. Without limiting the generality of the foregoing, unless otherwise expressly provided in this Agreement or the Attachments hereto, District shall pay all costs of compliance with conditions of approval, CEQA Document mitigation measures and similar requirements, and all sums payable to architects, designers, engineers, general contractors, subcontractors, material suppliers or laborers for construction, installation of the ECCL Project improvements, including without limitation all facilities, structures, equipment, landscaping, off-site improvements (if any), parking, and all other improvements relating to the ECCL Project required to be constructed pursuant to this Agreement, and City shall have no obligation to pay for any such costs except as expressly provided in the Finance Agreement and the O&M Agreement.

6. District's Lease of ECCL Project to City. Within thirty (30) days following satisfaction or written waiver of the Condition to Lease (defined below), District shall lease to

City and City shall lease from District, the entirety of the Property and ECCL Project facilities, pursuant to a lease agreement substantially in the form of Attachment C attached hereto (“**ECCL Project Lease**”). The Parties’ obligation to enter into the ECCL Project Lease shall be subject to the satisfaction by District, or written waiver by City, of the following conditions (collectively, “**Conditions to Lease**”):

6.1 Architect’s Certificate. District shall have provided City with an architect’s certification that the ECCL Project has been constructed in accordance with approved 100% Construction Drawings (as defined in the Design and Construction Agreement) and that the ECCL Project is 100% complete;

6.2 Lien Releases. District has provided City with mechanics’ lien releases or other lien releases with respect to the ECCL Project, all of which shall be in a form reasonably acceptable to City, notarized and unconditional with respect to each subcontractor or supplier whose contract involves \$5,000 or more;

6.3 Termination of Lease/Leaseback Construction Agreement. Turner Construction’s leasehold interest in the Property pursuant to the Lease/Leaseback Construction Agreement has been terminated; and

6.4 Execution of Documents. The Parties shall have executed, or shall be ready to execute concurrently with the ECCL Project Lease, the Governance Agreement (defined in Section 7 below), the Shared Use Agreement (defined in Section 8 below) and the O&M Agreement (defined in Section 9 below).

The Existing City/District Lease and the City/District Sublease shall each terminate as of the effective date of the ECCL Project Lease. Following such termination, neither Party shall have any further rights or obligations under the Existing City/District Lease or the City/District Sublease, other than those rights and obligations which, by their terms, expressly survive termination thereof.

7. Governance. To ensure that the ECCL Project meets the needs of both District and City, the Parties shall establish a two-tiered governance structure, consisting of a City/Schools Committee and a Governance Committee, as more particularly set forth in a Governance Agreement substantially in the form attached hereto as Attachment E (“**Governance Agreement**”). City and District shall enter into the Governance Agreement on or before the date on which the Parties execute the ECCL Project Lease.

8. Shared Use. District and City’s respective rights and obligations with respect to the shared use the ECCL Project facilities, including rights to authorize third-party use of the ECCL Project facilities, shall be set forth in a Shared Use Agreement substantially in the form attached hereto as Attachment F (“**Shared Use Agreement**”). City and District shall enter into the Shared Use Agreement on or before the date on which the Parties execute the ECCL Project Lease.

9. Operation, Maintenance and Capital Replacement. District and City’s respective rights and obligations with respect to ECCL Project operations, maintenance and capital replacement shall be set forth in an Operations, Maintenance and Renovation Agreement

substantially in the form attached hereto as Attachment I (“**O&M Agreement**”). City and District shall enter into the O&M Agreement on or before the date on which the Parties execute the ECCL Project Lease.

10.

Incorporation of Recitals and Attachments. The Recitals set forth above and the following Attachments are incorporated herein by reference.

Attachment A – Property Diagram

Attachment B – City/District Sublease

Attachment C – ECCL Project Lease

Attachment D – Finance Agreement

Attachment E – Governance Agreement

Attachment F – Shared Use Agreement

Attachment G – Design and Construction Agreement

Attachment H – General Conditions

Attachment I – Operations, Maintenance and Renovation Agreement

*[SIGNATURES ON FOLLOWING PAGE]*

IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the date first written above.

**CITY:**

**CITY OF EMERYVILLE**, a municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: City Manager  
Date: \_\_\_\_\_, 2013

**DISTRICT:**

**EMERY UNIFIED SCHOOL DISTRICT**, a political subdivision of the State of California

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: Superintendent  
Date: \_\_\_\_\_, 2013

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Fagen Friedman & Fulfrost LLP

By: \_\_\_\_\_  
Michael Biddle, City Attorney

By: \_\_\_\_\_  
Paul G. Thompson, District Counsel

ATTEST:

ATTEST:

By: \_\_\_\_\_  
\_\_\_\_\_, City Clerk

By: \_\_\_\_\_  
\_\_\_\_\_, District Secretary

|

ATTACHMENT A

**PROPERTY DIAGRAM**

*[to be inserted]*

DRAFT

ATTACHMENT B

**CITY/DISTRICT SUBLEASE**

*[to be inserted]*

DRAFT

|

ATTACHMENT C

**ECCL PROJECT LEASE**

*[to be inserted]*

DRAFT

|

ATTACHMENT D

**FINANCE AGREEMENT**

*[to be inserted]*

DRAFT

|

ATTACHMENT E

**GOVERNANCE AGREEMENT**

*[to be inserted]*

DRAFT

|

ATTACHMENT F

**SHARED USE AGREEMENT**

*[to be inserted]*

DRAFT

|

ATTACHMENT G

**DESIGN AND CONSTRUCTION AGREEMENT**

*[to be inserted]*

DRAFT

|

ATTACHMENT H  
**GENERAL CONDITIONS**

*[to be inserted]*

DRAFT

|

ATTACHMENT I

**OPERATIONS, MAINTENANCE AND RENOVATION AGREEMENT**

*[to be inserted]*

DRAFT

# Task Force Application

## GENERAL INFORMATION

Applicant Name: Rocio ESPINOZA-SINGH Home Telephone: (510) 717-3253  
Home Address: 301 San Pablo Ave. Unit 309 E-mail: brarsingh@Comcast.net

## EMPLOYMENT INFORMATION

Name of Applicant's Employer: N/A Work Telephone: ( )  
Work Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

## PLEASE ANSWER THE FOLLOWING QUESTIONS

1. How long have you lived, worked, or attended school within the boundaries of the City or District?

13 Years 3 Months

2. Have you or your children ever attended EUSD schools?  Yes  No

Comments: Anna Yates School 9yr. Old Boy 3rd grade mild-Autistic

3. Have you or your children ever attended community services programs?  Yes

No

3. Do you have or have you had any other relatives or close friends who have attended EUSD schools?  Yes  No

Comments: I know a lot of parents of two different communities latinos and Punjabis

4. Do you know of any reason, such as a potential conflict of interest (real estate, business, litigation, etc.), which would adversely affect your ability to impartially serve on the task force?  Yes  No

Comments: \_\_\_\_\_

5. Explain why you would like to be on the Task Force.

I'd like to provide thoughtful and positive input for the two different communities Latinos and punjabics as well and very important for the special needs students.

Educational Background (e.g. college and/or university, degree/major, vocational and/or other training, certificates, technical training, etc.)

I finished College in Guadalajara/Mexico

### ADDITIONAL INFORMATION

Are you now or have you ever been employed by the City or District?  Yes  No

If yes, please explain: \_\_\_\_\_

Describe your community service background including participation and membership in local civic organizations. Also specifically describe your experiences relating to educational and recreational services participation. (Please attach an additional page if needed for this response (resume is desired but not required).)

Emery has wonderful programs. My experience and point of view with the programs, especially for children and youth is that there is no professionalism, continually in the sports, lack of participants and facilities (one of them not using Anna Yates Field)

Describe your professional skills and training and participation in professional organizations. (Please attach an additional page if needed for this response (resume is desired but not required).)

I'm a volunteer parent in my son's classroom, also I currently being training and helping mid-mornings once a week in the main office of Anna Yates school.

## CERTIFICATION OF APPLICANT

I certify that answers and statements in this document are true and complete to the best of my knowledge and belief.

Signature: Roan Espinoza-Singh Date: 3/25/13

Completed applications must be received no later than 25 February 2013. For more information or if you have any questions, please contact Wendy Chew at 510-601-4950 or [wendy.chew@emeryusd.org](mailto:wendy.chew@emeryusd.org).

### Committee Membership Designation

State law requires that representatives of designated special interest organizations, if any, fill certain positions on the Citizens' Oversight Committee. Please indicate the Committee designation(s) for which you are qualified:

- Active Member of a business organization; Company Name: \_\_\_\_\_  
(e.g. Chamber of Commerce)
- Active Member of a senior citizen group; Group Name: \_\_\_\_\_
- Active Member of a bona fide taxpayer organization; Organization Name: \_\_\_\_\_
- At-Large Member of the public (must be an Emeryville resident, or work in Emeryville, or have a child attending EUSD): Emeryville Resident
- Parent with child(ren) currently enrolled in the District: \_\_\_\_\_
- Active parent member of a District support organization; Org. Name: \_\_\_\_\_  
(e.g. A District Advisory Council, PTO, etc. with child(ren) currently enrolled in the District)

*I'm also open to other committee participation.*

In addition to the above designations, the Board of Trustees of the Emery Unified School District has identified the following additional Committee member designations for membership on the Citizen's Oversight Committee. Please indicate the Committee designation(s) for which you are qualified:

- Parent member of the Anna Yates PTO
- Parent member of the Emery Secondary School PTO
- Active Member of a recognized arts organization
- Have experience w/facilities management/development.
- Have education/community services/recreation experience
- Student alumnus/alumna of the school district
- Student currently enrolled in the Emery Unified School District

#### General Information

Applicant Name: Dianne Woods  
Home Address: 41381 Adeline St Emeryville, CA 94608  
Home Telephone #: 510 654 7644 E-mail: dianne.woods@csueastbay.edu

#### Employee Information

Name of Applicant's Employer: CSU East Bay  
Work Address: 25800 Carlos Bee Blvd Hayward, CA 94542  
Work Telephone #: 885 2513 E-mail: dianne.woods@csueastbay.edu

Ph.D. in Social Work - UC Berkeley  
MSW - U.C.L.A.

**Additional Information**

Are you now or have you ever been employed by the District? Yes  
If yes, please explain:

No

Describe your community service background including participation and membership in local civic organizations. Also specifically describe your experiences relating to educational and recreational services participation. (Please attach an additional page if needed for this response (resume is desired but not required).)

I have served as a social worker for 36 years.  
Last year, I worked with Catholic Charities.  
I have worked in Emeryville on staff for the past 10 years.

Describe your professional skills and training in finance, facilities, and/or construction or other relevant experience, including participation in professional organizations. (Please attach an additional page if needed for this response (resume is desired but not required).)

I was involved in the initial review & screening of the plans for the Center for Community Life.

**Please answer the following questions**

1. How long have you lived, worked, or attended school within the boundaries of the District? 4 years \_\_\_ months

2. Have you or your children ever attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

3. Do you have or have you had any other relatives or close friends who have attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

4. Do you know of any reason, such as a potential conflict of interest (real estate, business, litigation, etc.), which would adversely affect your ability to impartially serve on the Citizens' Oversight Committee? Yes  No

Comments: \_\_\_\_\_

5. Is there any reason why you will not be able to complete a two-year term on the Committee?

Yes  No

6. Explain why you would like to be appointed to this committee.

To provide continued service to the City of Emeryville.

**Certification of Applicant**

I certify that answers and statements in this document are true and complete to the best of my knowledge and belief.

Signature:  Date: 11.15.12

Completed applications must be received by the Office of the Superintendent, Emery Unified School District, 4727 San Pablo Avenue, Emeryville, CA 94608, or faxed to 510 601-4913. For more information or if you have any questions, please contact the Superintendent's Office at the District at (510) 601-4906.

# Task Force Application

## GENERAL INFORMATION

Applicant Name: JOHN GOODING Home Telephone: (510) 654-8811  
Home Address: 6363 CHRISTIE AVE, #2016 E-mail: Gooding@QUADRICGROUP.com  
EMERYVILLE, CA 94608

## EMPLOYMENT INFORMATION

Name of Applicant's Employer: QUADRIC GROUP, INC Work Telephone: ( )  
Work Address: P.O. Box 8400 E-mail: STAME  
EMERYVILLE, CA 94662

## PLEASE ANSWER THE FOLLOWING QUESTIONS

1. How long have you lived, worked, or attended school within the boundaries of the City or District?

\_\_\_ Years \_\_\_ Months

2. Have you or your children ever attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

3. Have you or your children ever attended community services programs?  Yes  No

3. Do you have or have you had any other relatives or close friends who have attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

4. Do you know of any reason, such as a potential conflict of interest (real estate, business, litigation, etc.), which would adversely affect your ability to impartially serve on the task force?  Yes  No

Comments: \_\_\_\_\_

5. Explain why you would like to be on the Task Force.

*I have extensive experience with EUSD, its real estate, and the vision of ECCL*

Educational Background (e.g. college and/or university, degree/major, vocational and/or other training, certificates, technical training, etc.)

*University*

### ADDITIONAL INFORMATION

Are you now or have you ever been employed by the City or District?  Yes  No

If yes, please explain: \_\_\_\_\_

Describe your community service background including participation and membership in local civic organizations. Also specifically describe your experiences relating to educational and recreational services participation. (Please attach an additional page if needed for this response (resume is desired but not required).)

*a founder and current president of the Emery Ed Fund.  
former chair and current Board member of Emeryville Chamber  
current member of the Emeryville Oversight Board*

Describe your professional skills and training and participation in professional organizations. (Please attach an additional page if needed for this response (resume is desired but not required).)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## CERTIFICATION OF APPLICANT

I certify that answers and statements in this document are true and complete to the best of my knowledge and belief.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

2-20-2013

Completed applications must be received no later than 25 February 2013. For more information or if you have any questions, please contact Wendy Chew at 510-601-4950 or [wendy.chew@emeryusd.org](mailto:wendy.chew@emeryusd.org).

# Task Force Application

## GENERAL INFORMATION

Applicant Name: Ken Bukowski Home Telephone: (510) 305-0000  
Home Address: 5880 Doyle St E-mail: kb@epoa.us  
Emeryville Ca 94608

## EMPLOYMENT INFORMATION

Name of Applicant's Employer: EPOA Work Telephone: (510) 2145111  
Work Address: 6313 Doyle St E-mail: kb@epoa.us  
Emeryville Ca. 94608

## PLEASE ANSWER THE FOLLOWING QUESTIONS

1. How long have you lived, worked, or attended school within the boundaries of the City or District?

\_\_\_ Years \_\_\_ Months

2. Have you or your children ever attended EUSD schools?  Yes  No

Comments: never for 6 months

3. Have you or your children ever attended community services programs?  Yes  No

3. Do you have or have you had any other relatives or close friends who have attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

4. Do you know of any reason, such as a potential conflict of interest (real estate, business, litigation, etc.), which would adversely affect your ability to impartially serve on the task force?  Yes  No

Comments: \_\_\_\_\_

5. Explain why you would like to be on the Task Force.

Community Activist

Educational Background (e.g. college and/or university, degree/major, vocational and/or other training, certificates, technical training, etc.)

24 yrs city council

### ADDITIONAL INFORMATION

Are you now or have you ever been employed by the City or District?  Yes  No

If yes, please explain:

city council member

Describe your community service background including participation and membership in local civic organizations. Also specifically describe your experiences relating to educational and recreational services participation. (Please attach an additional page if needed for this response (resume is desired but not required).)

Describe your professional skills and training and participation in professional organizations. (Please attach an additional page if needed for this response (resume is desired but not required).)

## CERTIFICATION OF APPLICANT

I certify that answers and statements in this document are true and complete to the best of my knowledge and belief.

Signature: K. B. L.

Date: 2-20-13

Completed applications must be received no later than 25 February 2013. For more information or if you have any questions, please contact Wendy Chew at 510-601-4950 or [wendy.chew@emeryusd.org](mailto:wendy.chew@emeryusd.org).

# Task Force Application

## GENERAL INFORMATION

Applicant Name: Marie Henry Home Telephone: (510) 547 7433  
Home Address: 5531 Vallejo St, E-mail: picahenry@sbcglobal.net  
Emeryville, Ca 94608

## EMPLOYMENT INFORMATION

Name of Applicant's Employer: BioMarin Work Telephone: (415) 506 3674  
Work Address: 105 Digital Drive, E-mail: \_\_\_\_\_  
Novato, Ca 94949

## PLEASE ANSWER THE FOLLOWING QUESTIONS

1. How long have you lived, worked, or attended school within the boundaries of the City or District?

15 Years: \_\_\_\_\_ Months

2. Have you or your children ever attended EUSD schools?  Yes  No

Comments: I currently have 3 children attending Anna Yates

3. Have you or your children ever attended community services programs?  Yes  No

3. Do you have or have you had any other relatives or close friends who have attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

4. Do you know of any reason, such as a potential conflict of interest (real estate, business, litigation, etc.); which would adversely affect your ability to impartially serve on the task force?  Yes  No

Comments: \_\_\_\_\_

5. Explain why you would like to be on the Task Force.

I am a longtime Emeryville resident and has chosen to  
raise my family here. I became aware of the city services  
when my family needed to look for childcare, schools and  
after school activities. The opportunity to contribute to the future  
needs of the community and my family are why I am applying to be  
Educational Background (e.g. college and/or university, degree/major, vocational and/or other on this task force  
training, certificates, technical training, etc.)

College Degree

### ADDITIONAL INFORMATION

Are you now or have you ever been employed by the City or District?  Yes  No

If yes, please explain: \_\_\_\_\_

Describe your community service background including participation and membership in local civic organizations. Also specifically describe your experiences relating to educational and recreational services participation. (Please attach an additional page if needed for this response (resume is desired but not required).)

Former member of Friends of ECSC committee. Participated  
in multiple ECLL community workshops. Continue to  
support Anna Yates PTO, Teachers and the Rec Center activities

Describe your professional skills and training and participation in professional organizations. (Please attach an additional page if needed for this response (resume is desired but not required).)

Organizational and Management skills to co-ordinate  
multi-discipline ~~across~~ projects across various functional groups.  
Present data and defend approaches.

## CERTIFICATION OF APPLICANT

I certify that answers and statements in this document are true and complete to the best of my knowledge and belief.

Signature: Marie Henry

Date: 030413

Completed applications must be received no later than 25 February 2013. For more information or if you have any questions, please contact Wendy Chew at 510-601-4950 or [wendy.chew@emeryusd.org](mailto:wendy.chew@emeryusd.org).

TD: WENDY  
CHEW

Susan Donaldson  
4321 Essex St.  
Emeryville, CA 94608  
510-544-9449  
[sdonaldson@vivaterra.com](mailto:sdonaldson@vivaterra.com)

5 PAGES

Task Force Application

Please see following form for general information.

Additional Information listed below for clarity:

*Describe your community service background...*

I strive to be an active member in my community and deeply believe in civic duty. I am currently a board member of the Bay Area Girls Rock Camp, a social justice organization using music to empower girls. I regularly attend City Council meetings and Emeryville community events. Our family has been actively involved in ensuring the success and sustainability of ECDC through the Friends of ECDC association.

*Describe your professional skills and training and participation in professional organizations.*

While pursuing my MBA in Sustainability, I focused my studies on community capital raising for small businesses and entrepreneurs. I am currently a member of the Sustainable Business Alliance and BALLE (Business Alliance for Local Living Economies). I was a founding member of the East Bay Community Capital Working Group, a now defunct group of professionals dedicated to providing access to and support around alternative capital fundraising and strengthening community. Additionally I am a skilled strategic thinker, and an enthusiastic and adaptable team player with a diverse range of professional experience.

# Task Force Application

## GENERAL INFORMATION

Applicant Name: SUSAN DONALDSON Home Telephone: 510-544-9449

Home Address: 4321 ESSEX ST. E-mail: sdonaldson@vivaterra.com

## EMPLOYMENT INFORMATION

Name of Applicant's Employer: VIVATERRA Work Telephone: 415-258-4582 X14

Work Address: 2171 E. FRANCISCO BLVD. E-mail: sdonaldson@vivaterra.com  
SUITE 1  
SAN RAFAEL, CA 94901

## PLEASE ANSWER THE FOLLOWING QUESTIONS

1. How long have you lived, worked, or attended school within the boundaries of the City or District?

7 Years 7 Months

2. Have you or your children ever attended EUSD schools?  Yes  No

Comments: ECDC, ANNA YATES

3. Have you or your children ever attended community services programs?  Yes  No

3. Do you have or have you had any other relatives or close friends who have attended EUSD schools?  Yes  No

Comments: ECDC, ANNA YATES

4. Do you know of any reason, such as a potential conflict of interest (real estate, business, litigation, etc.), which would adversely affect your ability to impartially serve on the task force?  Yes  No

Comments: \_\_\_\_\_

5. Explain why you would like to be on the Task Force.

As a neighbor to Anna Yates and invested community member, I would like to have ~~an active role in shaping the future of our neighborhood and community.~~

Educational Background (e.g. college and/or university, degree/major, vocational and/or other training, certificates, technical training, etc.)

MBA Sustainable Management, Presidio Graduate School, SF

BA Mills College

**ADDITIONAL INFORMATION**

Are you now or have you ever been employed by the City or District?  Yes  No

If yes, please explain: \_\_\_\_\_

Describe your community service background including participation and membership in local civic organizations. Also specifically describe your experiences relating to educational and recreational services participation. (Please attach an additional page if needed for this response (resume is desired but not required).)

I strive to be an active member in my community and deeply believe in civic duty. I ~~am currently a board member of the Bay Area Girls Rock Camp, a social justice organization using music to empower girls. I regularly attend City Council meetings and Emeryville community events. Our family has been actively involved in ensuring the success and sustainability of ECDC through the Friends of ECDC association.~~

Describe your professional skills and training and participation in professional organizations. (Please attach an additional page if needed for this response (resume is desired but not required).)

I strive to be an active member in my community and deeply believe in civic duty. I ~~am currently a board member of the Bay Area Girls Rock Camp, a social justice organization using music to empower girls. I regularly attend City Council meetings and Emeryville community events. Our family has been actively involved in ensuring the success and sustainability of ECDC through the Friends of ECDC association.~~

## CERTIFICATION OF APPLICANT

I certify that answers and statements in this document are true and complete to the best of my knowledge and belief.

Signature: 

Date: 3-22-13

Completed applications must be received no later than 25 February 2013. For more information or if you have any questions, please contact Wendy Chew at 510-601-4950 or [wendy.chew@emeryusd.org](mailto:wendy.chew@emeryusd.org).

SUSAN DONALDSON

sdonaldson@vivaterra.com

510-544-9449

**EXPERIENCE****Board Member at Bay Area Girls Rock! Camp**

October 2010 - Present

Fundraising, public relations and event planning for the Bay Area chapter of the national Girls Rock! Program. Bay Area Girls Rock Camp is a nonprofit dedicated to empowering girls through music, promoting an environment that fosters self-confidence, creativity and collaboration.

<http://www.bayareagirlsrockcamp.org/>

**Director of Merchandise at VivaTerra**

May 2004 - Present

Sustainable product sourcing and development, creative and brand strategy, merchandise strategy, and inventory planning. VivaTerra is the leading retailer of upscale, artisan-made sustainable home décor and gifts.

<http://www.vivaterra.com/>

**Associate Producer at Scholastic Entertainment**

1997 - 2002

Award-winning website, game and multi-media production for Scholastic Entertainment properties including Clifford the Big Red Dog (PBS) and Dear America (HBO).

<http://www.scholastic.com/home>

**EDUCATION****Presidio School of Management**

<http://www.presidioedu.org/>

MBA, Sustainable Management, 2008 - 2012

**Mills College**

<http://www.mills.edu/>

BA, Art, 1992 - 1994

Focus on interactive kinetic sculpture. Internship with Exploratorium. Member of The Treblemakers acappella group.

**National Outdoor Leadership School (N.O.L.S)**

<http://www.nols.edu/>

1992

**The University of Vermont**

1989 - 1991

# Task Force Application

## GENERAL INFORMATION

Applicant Name: Antonio Ruiz Home Telephone: (N/A)  
Home Address: 1049 43rd St Apt B. E-mail: N/A  
Emeryville CA 94608.

## EMPLOYMENT INFORMATION

Name of Applicant's Employer: Hyatt House Work Telephone: (510) 601-5880  
Work Address: 5800 Shellmound St E-mail: N/A  
Emeryville CA 94608

## PLEASE ANSWER THE FOLLOWING QUESTIONS

1. How long have you lived, worked, or attended school within the boundaries of the City or District?

17 Years 2 Months

2. Have you or your children ever attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

3. Have you or your children ever attended community services programs?  Yes  No

3. Do you have or have you had any other relatives or close friends who have attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

4. Do you know of any reason, such as a potential conflict of interest (real estate, business, litigation, etc.), which would adversely affect your ability to impartially serve on the task force?  Yes  No

Comments: \_\_\_\_\_

5. Explain why you would like to be on the Task Force.

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Educational Background (e.g. college and/or university, degree/major, vocational and/or other training, certificates, technical training, etc.)

College at Mexico city,

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### ADDITIONAL INFORMATION

Are you now or have you ever been employed by the City or District?  Yes  No

If yes, please explain: \_\_\_\_\_

Describe your community service background including participation and membership in local civic organizations. Also specifically describe your experiences relating to educational and recreational services participation. (Please attach an additional page if needed for this response (resume is desired but not required).)

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Describe your professional skills and training and participation in professional organizations. (Please attach an additional page if needed for this response (resume is desired but not required).)

n/a

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## CERTIFICATION OF APPLICANT

I certify that answers and statements in this document are true and complete to the best of my knowledge and belief.

Signature: Antonia Ruz

Date: 02/26/13

Completed applications must be received no later than 25 February 2013. For more information or if you have any questions, please contact Wendy Chew at 510-601-4950 or [wendy.chew@emeryusd.org](mailto:wendy.chew@emeryusd.org).

# Task Force Application

## GENERAL INFORMATION

Applicant Name: William He Home Telephone: (510) 579-7980  
Home Address: 1510 Park Ave. #E E-mail: hewilliamhe@gmail.com  
Emeryville, CA. 94608

## EMPLOYMENT INFORMATION

Name of Applicant's Employer: full time graduate student for SJSU. Work Telephone: ( )  
Work Address: 1 Washington Square E-mail: \_\_\_\_\_  
San Jose, CA. 95112

## PLEASE ANSWER THE FOLLOWING QUESTIONS

1. How long have you lived, worked, or attended school within the boundaries of the City or District?

1 Years 6 Months

2. Have you or your children ever attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

3. Have you or your children ever attended community services programs?  Yes  No

3. Do you have or have you had any other relatives or close friends who have attended EUSD schools?  Yes  No

Comments: \_\_\_\_\_

4. Do you know of any reason, such as a potential conflict of interest (real estate, business, litigation, etc.), which would adversely affect your ability to impartially serve on the task force?  Yes  No

Comments: \_\_\_\_\_

5. Explain why you would like to be on the Task Force.

Looking forward to gain real experience in community development and engaging with residents and staff of Emeryville. As a graduate student in urban planning, I want to use what I've learned in the classroom for real life situations.

Educational Background (e.g. college and/or university, degree/major, vocational and/or other training, certificates, technical training, etc.)

University of California, Berkeley - BA. 2002

San Jose State University, San Jose - Masters in Urban Planning  
2011-2013

#### ADDITIONAL INFORMATION

Are you now or have you ever been employed by the City or District?  Yes  No

If yes, please explain: \_\_\_\_\_

Describe your community service background including participation and membership in local civic organizations. Also specifically describe your experiences relating to educational and recreational services participation. (Please attach an additional page if needed for this response (resume is desired but not required).)

Conducted door-to-door surveys for Five Wounds neighborhood in San Jose in Nov. of 2011. Helped assemble a community outreach meeting for the Spartan-Keyes neighborhood neighborhood in San Jose in Dec. of 2012.

Describe your professional skills and training and participation in professional organizations. (Please attach an additional page if needed for this response (resume is desired but not required).)

I specialize in community development and planning in my graduate program in San Jose State University. Please see resume attached, I would love to help!

## CERTIFICATION OF APPLICANT

I certify that answers and statements in this document are true and complete to the best of my knowledge and belief.

Signature: Wendy Chew

Date: 2/22/13

Completed applications must be received no later than 25 February 2013. For more information or if you have any questions, please contact Wendy Chew at 510-601-4950 or [wendy.chew@emeryusd.org](mailto:wendy.chew@emeryusd.org).

# William Wei-Cheng He

1510 Park Ave #E  
Emeryville, CA. 94608  
Mobile: 510-579-7980  
e-mail: stabino@gmail.com

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## OBJECTIVE:

Community Member for ECCL Task Force

## EDUCATION:

*Masters of Urban and Regional Planning*, California State University, San Jose. **San Jose, Ca. 2013**  
*Bachelors of Art in History and Japanese*, University of California, Berkeley. **Berkeley, Ca. 2002**

## RELATED COURSES:

- **Quantitative Methods in Urban Planning** - Utilized MS Excel to estimate financial and population changes affecting urban growth and contraction.
- **Community Assessment** - Assessed the social capital and resources of the Spartan-Keyes neighborhood in San Jose, CA, which culminated into a community outreach meeting.
- **Land Use Planning** - Studied how cities enact exactions, variances, judicial rulings, and various forms of certification.
- **Urban Growth Management** - Analyzed how cities and regions govern growth policies that includes climate change,, redevelopment, affordable housing, and urban growth boundaries.
- **Local Transportation Planning** - Studied complete streets, congestion pricing, change in ridership, and value capture in local stations.

## COMPUTER SKILLS:

- ArcGIS - 6 weeks of intensive training from a SJSU accredited course, which involves map making, data tables, and geo-referencing.
- Microsoft Excel - Over 10 years of experience in creating charts, figures, and data tables.
- Microsoft Word - Over 10 years of experience in writing business and academic reports.
- Microsoft PowerPoint - Proficient knowledge in creating slideshows and presentations.

## PREVIOUS EMPLOYER:

### PETERSON TRACTOR COMPANY

San Leandro, CA, July 2006 - January 2013

Order Analyst - Lead Cashier - Office Clerk

- Processed orders for 7 stores in the San Francisco Bay Area, which include communicating with tractor parts expeditors from all over the nation.
- Translated Parts manuals from Japanese to English.
- Processed money transactions, which included cash, credit cards, checks and web orders.



# Adventure Works Connection

Community Services Department

## WE CAN'T BELIEVE IT'S APRIL!

4-3-13

As some of you know, there is a new addition to the Emeryville Recreation Center that we are very excited about! The Emery Unified School District is now offering an extensive range of community services by way of their brand new Family Resource Center.



The Emery Unified School District (EUSD) Family Resource Center held a Grand Opening ceremony on Tuesday, March 26, 2013. Congresswoman Barbara Lee led the ceremony by cutting the Ribbon to the door of the Family Resource Center. Congresswoman Lee has been very supportive of the Wellness Department at EUSD that is administered by Juliette Dunn, Director of Wellness. The Family Resource Center is the current project that has come from

a Federal Grant secured by Congresswoman Lee.

Emery Unified School District's Wellness Group includes a school psychologist, a nurse, a social worker and now a Resource Center for the Parents, Caregivers, Students from birth to 22 years as well as the Emeryville Community at large to use as a place to find the resources offered by Alameda County, the City of Emeryville & EUSD. The Family Resource Center is located in the Emeryville Recreation Center building at: 4300 San Pablo Avenue Emeryville, CA 94608. It offers community, parent, and student training.

1. The center is open to anyone that needs information or access to services offered in our community.
2. We invite anyone who has special services that benefit families, youth or special needs

recipients to contact us and tell us about your agency or company. We welcome your brochures and information to share with the community at large. Let us know how you can help our schools and families.

3. Contact the EUSD Family Resource Center **Monday through Thursday:**

-Wanda Hundley  
~510-596-4384

Did you know we had 10 kids attend our last Youth Saturday Trip to Pier 39?

### Upcoming Events Offered by the EUSD Wellness Group

#### Project Success

#### 4 Week Parent/Caregiver Workshop Series!

Thursday's 6 To 7 PM

**April 11:** Adolescence in the 21<sup>st</sup> Century

**April 18:** Nurturing Self-Esteem

**April 25:** Communication Problems and Strategies

**May 2:** Setting Limits With Your Child

#### Emery Secondary School

54<sup>th</sup> and Market

915 54<sup>th</sup> Street

Oakland, CA 94608

#### Medi-Cal Health Services and Food Stamps Support

3 to 5 PM

April 2

May 7

June 3

July 2

#### Family Resource Center

4300 San Pablo Avenue

Emeryville, CA 94608

## UPCOMING EVENTS:

### Parent's Night Out

Come join us on Friday **April 19th** from 6-10pm for a fun Friday Night at the Rec while your parents enjoy an evening out! It's the best babysitting deal around!

**\$25R/\$30NR**

### Earth Day

Come join the Community Services Department for it's annual Earth Day celebration on **April 20th** at Doyle Hollis Park. Festivities will begin at 11:00am!

**FREE**

### Youth Trip: Ardenwood Regional Park

This is a perfect Saturday trip for children ages 5-12! Come enjoy **April 27th** exploring a historic family farm, petting animals, and feeding animals!

**\$20/\$25**

ONLY \$10 for additional siblings!

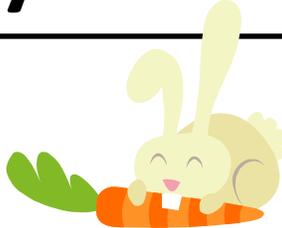


COMMUNITY SERVICES DEPARTMENT

# Teen City Connection

4-3-13

## AWESOME APRIL!



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3. Contact the EUSD Family Resource Center **Monday through Thursday:**

-Wanda Hundley  
~510-596-4384

**15 spots are available for a Screen-printing workshop at the Golden Gate Library. Please sign up at the front desk!**

## TEEN HIGHLIGHTS:

**Earth Day**  
Come join the Community Services Department for it's annual Earth Day celebration on April 20th at Doyle Hollis Park. Festivities will begin at 11:00am!  
**FREE**

**Spring Formal**  
Join teen night on April 12th for a fun and safe Friday dancing the night away with all your friends! It's the perfect excuse to get dressed up too!  
**\$5R/\$7NR**

**ASP Music Production**  
Beginning on April 22nd, you will be able to participate in a music mixing class at the teen center! Are you ready to mix your own beats?

**Dates to Remember!**

- 4/12 - Spring Formal
- 4/16 - Screen Printing: Golden Gate Library
- 4/26 - Offsite Trip

**Teen Options for Summer are Endless!**

1. LIT Program
2. Teen Friday Night Club
3. Teen Field Trips
  - 6/28 Malibu Grand Prix
  - 7/19 Raging Waters
  - 8/2 Paintballing
  - 8/16 Playland-Not at-the-Beach
4. Teen College Tours
  - 7/12 Stanford & San Jose State
  - 8/9 Sonoma State

Please see the front desk for more information on these programs!

